

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

WILSON-DAVIS & CO., INC.
236 South Main Street
Salt Lake City, UT 84101-2104

Plaintiff,

v.

JAMES MIRGLIOTTA,
449 Berwick Circle
Aurora, OH 44202

and

JAMES MIRGLIOTTA, ADMINISTRATOR
OF THE ESTATE OF BETTE
MIRGLIOTTA, DECEASED
449 Berwick Circle
Aurora, OH 44202

Defendants.

CASE NO. 1:16-cv-03056

JUDGE: Patricia A. Gaughan

AMENDED NOTICE OF APPEAL

Notice is hereby given that Wilson-Davis & Co., Inc., plaintiff in the above-captioned case, hereby appeals to the United States Court of Appeals for the Sixth Circuit from the final judgments of the United States District Court for the Northern District of Ohio, Eastern Division, in the above-captioned case.

Wilson-Davis previously gave notice, and hereby again gives notice, that appeal is taken from that portion of the District Court's April 28, 2017 Judgment Entry [Doc. #50] holding that

Defendants' claims against Wilson-Davis regarding their investment losses in New Market Enterprises are subject to FINRA arbitration.

Subsequent to filing that Notice of Appeal, the District Court denied Wilson-Davis's Motion to Alter or Amend Judgment Under Rule 59(e), or Alternatively, for Relief from Judgment Under Rules 60(b) by Memorandum of Opinion and Order dated May 25, 2017. Wilson-Davis hereby gives notice that appeal is taken from the Memorandum of Opinion and Order dated May 25, 2017 [Doc. #56], denying Wilson-Davis's Motion to Alter or Amend Judgment Under Rule 59(e), or Alternatively, for Relief from Judgment Under Rules 60(b).

DATED this 5th day of June, 2017.

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CERTIFICATE OF SERVICE

I CERTIFY that on June 5th, 2017 I filed the foregoing AMENDED NOTICE OF APPEAL electronically through the CM/ECF system which served a copy on the following:

Robert J. Dubyak
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Cleveland, Ohio 44124
Attorney for Defendants

D. Craig Parry
/s/ D. Craig Parry